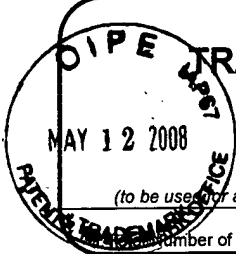


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Number of Pages in This Submission

4

Application Number	09/870,023
Filing Date	May 30, 2001
First Named Inventor	Charles L. Branch et al.
Art Unit	3733
Examiner Name	Pedro Philogene
Attorney Docket Number	MSDI-213/PC365.05

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard; Response to Notice of Non-Compliant Amendment Under 37 CFR 1.121
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Brad A. Schepers		
Date	May 8, 2008	Reg. No.	45,431

CERTIFICATE OF TRANSMISSION/MAILING

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:
Charles L. Branch et al.

Application Serial No.: 09/870,023

Filed: May 30, 2001

INTERBODY FUSION GRAFTS
AND INSTRUMENTATION

) Before the Examiner:
) Pedro Philogene
)

) Group Art Unit: 3733
)

) Ref. No.: MSDI-213/ PC365.05
)

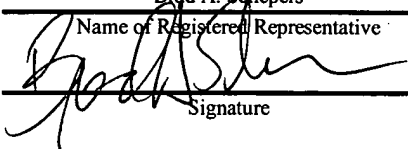
) May 8, 2008
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RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT UNDER 37 CFR 1.121

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment dated May 1, 2008 (one month to respond), please enter and consider the following. No extension fees are believed to be due with regard to the filing of this Response. However, please provide any extensions of time necessary and charge any additional fees which may be necessary to Deposit Account No. 12-2424, but not to include any payment of issue fees.

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